

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION

CIVIL NO. 5:04CV167

ERIC LAWRENCE CALL,	)	
	)	
Petitioner,	)	
	)	
Vs.	)	<u>ORDER</u>
	)	
MARVIN POLK, Warden, Central	)	
Prison, Raleigh, North Carolina,	)	
	)	
Respondent.	)	
	)	

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**THIS MATTER** is before the Court on the Petitioner's motion for a certificate of appealability.

For the same reasons as set forth in the Memorandum of Opinion denying relief, the Court does not find the Petitioner has been denied a constitutional right or that he has raised issues over which reasonable jurists would debate or disagree.

**IT IS, THEREFORE, ORDERED** that the Petitioner's motion for a certificate of appealability is hereby **DENIED**.

Signed: December 28, 2006



Lacy H. Thornburg  
United States District Judge

